

REMARKS/ARGUMENTS

The above-identified patent application has been reviewed in light of the Examiner's Action dated January 21, 2010. In view of the amendments presented above and the arguments presented below, Applicant respectfully submits that the claims are in condition for allowance. The Applicant would also like to thank Examiner Hylton for the opportunity to discuss the invention and prior art during a telephonic interview conducted on May 7, 2010.

Claims 54-74 have been rejected under 35 U.S.C. § 112, first paragraph, as failing to comply with the written description requirement and 35 U.S.C. § 112, second paragraph, as failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Claims 54 and 56-61 have been rejected under 35 U.S.C. 102(b) as being anticipated by Saito et al. (JP Application Publication No. H-9-226762). Claims 55 and 62-74 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Saito.

With respect to Claims 54-74 being rejected pursuant to 35 U.S.C. § 112, first paragraph, it is respectfully submitted that there is sufficient support found in the specification for these claims. More specifically, the limitation that the projection has an asymmetrical shape can be found on page 11, lines 1-5, as well as Figs. 4a, 5a and 8. Thus, it is respectfully submitted that the rejection pursuant to 35 U.S.C. § 112 should be removed.

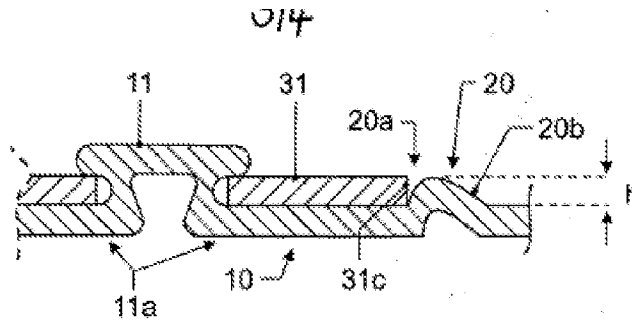
Claim 54 has been amended to include the limitation of the at least one projection having an asymmetrical shape with variable steep flanks or sides that are non parallel to each other. It is noted that Saito discloses only a protrusion that is of a generally rounded or oval configuration and disposed within a portion of a tongue piece in order to prevent

rotation of the tongue piece. The limitation in the amended claims comprises more than a mere change in shape over Saito, and contributes to both the anti-rotational properties as well as strength properties of the end closure.

More specifically, on page 11, lines 1-5, the specification provides support for a less steeply extending second flank (20b) which does not provide a blocking effect with the attached portion 31, allows higher forces to be applied, and the attaching portion 31 is less likely to be deformed upwards. Saito does not provide a second flank or similar portion to item 20b that is specifically devoid of the ability to provide a blocking or anti-rotational effect. Such a modification would not be obvious to one of ordinary skill in the art. The generally elliptical protrusion of Saito is a feature that is generally symmetrical and thus capable of preventing rotation regardless of its orientation with respect to an attaching or island portion.

In addition to Figures 4a, 5a, and 8, support for the current amendment and associated contributions to a can end's strength can be found on Page 11, Line 36 - Page 12, Line 4. Specifically, this portion of the specification describes the result of reforming an asymmetric projection with a plateau-shaped top and the reforming enabling the projection to reach a very large height relative to the thickness of the sheet metal despite the flat appearance of its shape. Additionally, it is noted here that the width of said projection is designed considerably more strongly. Figure 8 of the application, which shows the asymmetric shape and steep flange section, is reproduced below.

Figure 8



Based upon at least the foregoing, Applicant believes that the pending claims are in condition for allowance and such disposition is respectfully requested. In the event that a telephone conversation would further prosecution and/or expedite allowance, the Examiner is invited to contact the undersigned.

Respectfully submitted,

SHERIDAN ROSS P.C.

By: /Bruce A. Kugler/
Bruce A. Kugler
Registration No. 38,942
1560 Broadway, Suite 1200
Denver, Colorado 80202-5141
(303) 863-9700

Date: May 19, 2010